



Order Filed on August 31, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-888

Harold Kaplan (HK-0226)

In Re:

James Thomas Atkins,

Debtor,

Robin Lynn Atkins,

Joint Debtor.

Case No.: 19-31781-JNP

Chapter: 13

Hearing Date: August 30, 2022

Judge: Jerrold N. Poslusny Jr.

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
ORDERED.

DATED: August 31, 2022

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Secured Creditor: Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtors' Counsel: Warren D. Levy

Property Involved ("Collateral"): 82 Crescent Hollow Dr, Barnsboro, NJ 08080

Relief sought:

- Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

■ The Debtor is overdue for 4 payments from June 1, 2022 through September 1, 2022 at \$2,671.24 per month.

Funds Held In Suspense \$1,186.56.

Total Arrearages Due \$9,498.40.

2. Debtor must cure all post-petition arrearages, as follows:

■ Immediate payment shall be made in the amount of \$9,498.40. Payment shall be made within ten (10) days of entry of this Order.

■ Beginning on October 1, 2022, regular monthly mortgage payments shall continue to be made in the amount of \$2,671.24.

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: Selene Finance, LP
Attn: BK Dept
3501 Olympus Boulevard
Dallas Texas 75019

■ Immediate payment: Selene Finance, LP
Attn: BK Dept
3501 Olympus Boulevard
Dallas Texas 75019

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Agreed Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Agreed Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Agreed Order.

■ This Agreed Order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Agreed Order.

5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$188.00.

The fees and costs are payable:

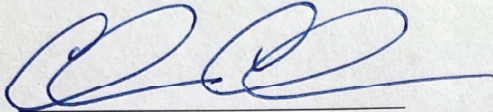
■ Through the Chapter 13 plan.

☐ To the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

6. In the event Secured creditor has not filed a timely Proof of Claim, Debtor consents to the filing and payment by the Chapter 13 Trustee of any late filed Proof of Claim, subject to the right of the Debtor to file an objection as to the amount.

The undersigned hereby consent to the form and entry of the foregoing order.



Christopher G. Cassie, Esq.
Attorney for Debtor(s)

Date:

8/30/2022

/s/Harold Kaplan

Harold Kaplan, Esq.
Attorney for Secured Creditor

Date: 8/30/2022

In re:
James Thomas Atkins
Robin Lynn Atkins
Debtors

Case No. 19-31781-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Aug 31, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 02, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ James Thomas Atkins, Robin Lynn Atkins, 82 Crescent Hollow Drive, Sewell, NJ 08080-9655

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 02, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 31, 2022 at the address(es) listed below:

Name	Email Address
Aleisha Candace Jennings	on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust ajennings@raslg.com
Denise E. Carlon	on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor MTGLQ Investors LP dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Elizabeth L. Wassall	on behalf of Creditor WELLS FARGO BANK N.A. ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com
Harold N. Kaplan	on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium

District/off: 0312-1

User: admin

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Total Noticed: 1

Mortgage Acquisition Trust hkaplan@rasnj.com, informationathnk@aol.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

Warren D. Levy

on behalf of Joint Debtor Robin Lynn Atkins atruss@keaveneylegalgroup.com
r46514@notify.bestcase.com;3295273420@filings.docketbird.com;casedriverecf@casedriver.com;atruss@KeaveneyLegalGroup.
com;ccassie@KeaveneyLegalGroup.com

Warren D. Levy

on behalf of Debtor James Thomas Atkins atruss@keaveneylegalgroup.com
r46514@notify.bestcase.com;3295273420@filings.docketbird.com;casedriverecf@casedriver.com;atruss@KeaveneyLegalGroup.
com;ccassie@KeaveneyLegalGroup.com

TOTAL: 10